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All communications relating to news and editorial matter should be addressed to the Editorial Department.

RUSINESS LETTERS All business letters and remittances should e addressed to The Bee Publishing Company, maha. Drafts, checks and posteffice orders be made payable to the order of the com-

# The Bee Publishing Company, Proprietors,

SWORN STATEMENT OF CIRCULATION. State of Nebraska,
County of Douglas,
George B. Tzschues, secretary of The Bre
Publishing company, does solemnly swear
that the actual circulation of The Daily Bre or the week ending January 24, 1891, was as inday, January 18 ..... Monday, January 19. Fuesday, January 20 Vednesday, January 21.

Average GEORGE B. TZSCHU 28.412 Sworn to before me and subscribed in my presence this 24th day of January A. D. 1891. N. P. Feit. Notary Public.

turday, January 24,....

Notary Public.

Notary Public.

State of Nebraska.

County of Douglas.

George B. Tzschuck, being duly sworn, deposes and says that he is secretary of The Ber Publishing company, that the actual average daily circulation of The Daily Ber for the month of January, 1800, 19,55; copies; for February, 1800, 19,761 copies; for March, 1890, 20,815 copies; for April. 1800, 20,504 copies; for May, 1800, 20,506 copies; for May, 1800, 20,602 copies; for August, 1800, 20,709 copies; for September, 1800, 20,504 copies; for October, 1800, 22,130 copies; for December, 1800, 22,130 copies; for December, 1800, 23,170 copies.

Sworn to before me, and subscribed in my presence, this 31st day of December, A. D., 1800, N. P. Fell, Notary Public.

THE more bridges the merrier the competition.

THE Omaha charter is now in the hands of the legislature, and "may the Lord have mercy on its soul."

THE reduction of the tax levy for the current year is substantial evidence of "business methods in city affairs."

THE congressional silver prospectors have struck what promises to prove a paying lead of speculative plungers.

FROM present appearances it would not require much ready money to secure an interest in silver lodes in Wash-

ington.

UNLESS the board of trade promptly wakes up, the real estate exchange will make off with the prize for good resolutions.

A DECREASE of 11 mills in the rate of taxation in two years is proof positive that Omaha has passed the period of excessive taxation.

THE shockingly sudden termination of the life of Secretary Windom lends a startling significance to the adage: "Death loves a shining mark." THE What-is-it wisely drops county

affairs and takes up the hairpin and like articles of domestic utility topics it is peculiarly fitted to elucidate. ONE million dollars for irrigation and

a like sum for the drouth stricken shows the wholesome modesty of Nebraskans in disposing of the national surplus.

THE Central Pacific owes the government \$50,000,000, on which it pays practically no interest. But this handsome "loan" is not included in Stanford's 2 per cent scheme.

THE prolonged sleep of an Illinois girl provokes widespread interest without cause. Her sleep is a healthy precaution against the daily monotony of the senatorial contest.

BY THE new apportionment bill Nebraska will be entitled to six representatives in the Fifty-third congress. Ambitious patriots will now plant congressional lightning rods.

THE laborer is worthy of his hire, but there is no valid reason why clerical help in public offices should be paid more than like services command in banks and first-class business establish-

THE independent bosses will presently discover that their tyrannical methods will not be tolerated much longer. The prosperity of the state is of greater importance than the welfare of a few selfish individuals.

GOVERNMENT DIRECTOR PLUMMER IS decidedly officious in the bridge controversy. His efforts to induce the government to play catspaw for Sidney Dillon show him to be a corporation tool of very small calibre.

THERE is cause for congratulation in the fact that the statesmen from the Seventh ward are vigilantly watching each other. As long as they continue in that useful occupation, municipal mischief must remain at a low ebb.

THE remarkable fasting feats of Tanner and Succi are partially paralleled by the success of the majors and colonels camped around the Nebraska state capitol. There is this difference, however, the former wax fat on water; the latter thrive on wind.

THE hilarity occasioned in certain quarters by the transfer of Governor Hill to the senate is now enveloped in a wet blanket. The grip of David on the political machinery of New York is warranted to hold till '92 and after. People should not holler till they are out of the

THREE hundred obstreporous Sioux Sully, and 30 more at Fort Sheridan. These comprise the most dangerous leaders in the recent outbreak, and their separation from the rank and file will procity. The very pronounced unpopuhave a tendency to make peace perma- larity of Canadian reciprocity with the nent on the reservation.

A SIGNIFICANT VOTE.

By a vote of 81 to 14 the house of representatives refused yesterday to countenance the folly of recounting the votes cast on the question of prohibition at the November election. This is sufficiently emphatic to satisfy everybody that the present legislature has no intention of attempting to subvert the will of the people.

By this decisive action the state not only escapes the enormous expense involved in the collection and recounting of the ballots, but it gains the assurance that its peace of mind, and its business interests, are not again to be disturbed by a re-opening of the question. At a time like this in the history of the state, when all energies are bent upon an effort to recover what has been lost in the reverses of the last year, such an assurance is worth everything.

There is another gratifying feature of the vote. It indicates that here, as elsewhere, the decision of the people on a vital question is to be respected. It would seem that such a proposition would stand in no need of demonstration, especially when sustained by a majority in city and town, 50,000 votes. aggregating nearly it is well known that ever since the surprising verdict of the people was rendered, certain men and factions have been plotting to overthrow it. Yesterday's vote in the house marks their final defeat.

The state is to be congratulated upon the fact that this result has been reached by the votes of sensible men of all parties represented in the legislature.

### THE ALLIANCE CONVENTION.

The National Farmers' Alliance convention has concluded its labors and adjourned. Composed in the main of men sincerely anxious to improve the condition of the agricultural classes, it was beset by cranks and hobby riders and its true purposes perverted and damaged.

The ills the producing classes are compelled to bear depend largely on locality. In Nebraska and adjoining states the burdens consist of exorbitant tolls for transporting their products to market, elevator exactions, discrimination against them as shippers, and excessive cost of the government. These are conditions which the producers justly denounce, but even with the power in their hands in several notable instances they have as yet failed to place the knife to the root of the evil. It was to be expected the national convention would give these vital questions careful consideration and devise a practicable plan. just to all interests concerned, as a guide to legislation. Nothing of the kind was attempted. On the contrary, the convention was bullyragged by visionaries and dreamers and its endorsement given to impracticable schemes.

The most notable of these was the scandalous jugglery of the convention at its close. While all the delegates were present, and after a full discussion, the proposition demanding the loan of government money at 2 per cent, on land security, was defeated by a substantial majority. The proposition could not be resurrected without a motion to reconsider by a member voting for its defeat. But common parlimentary rules were ignored by the chairman, who rallied his followers after a majority of the delgates had departed, and coerced a rump convention into an endorsement of the absurd scheme as a part of its creed.

Woman suffrage, prohibition, flatism and similar idiocies are parasitic theories sapping the strength of the alliance, and the sooner it rids itself of the incubus the better it will be for the organization. It must shake off the cranks and fanatics, place itself on a broad, common-sense foundation, and thus secure the active support of thousands outside the order who are earnestly striving to better the condition of the industrial classes.

RECIPROCITY AND THE FARMERS.

The plan of reciprocity of which Secretary Blaine is the foremost advocate is commanding the thoughtful attention of the farmers of the country. The policy of the secretary of state does not include Canada, but there is a very earnest effort making, of which Mr. Erastus Wiman is the moving spirit, to embrace the Dominion in the scheme. The foreign affairs committee of the house of representatives some time ago recommended the adoption of a resolution providing for the appointment by president of sion to consider the best method of extending the trade relations between Canada and the United States, and to ascertain on what terms greater freedom of intercourse between the two countries can best be secured, whenever it shall be duly certified to the president that the government of the Dominion of Canada has declared a desire to enter into such commercial arrangements with the United States as will result in the complete removal of all duties upon

trade between the two countries. The attitude of the farmers of the United States on this subject of reciprocity is a matter of paramount interest, because it concerns agricultural products to a greater extent than those of the manufacturing industries. An eastern journal whose constituency is composed mainly of farmers has undertaken to obtain the opinions of farmers on these questions: "Will reciprocity with South America benefit our farmers?" and "Will Canadian reciprocity benefit farmers?" Over ninety thousand answers were returned, of which 68,000 were in the affirmative to the first question and 60,000 in the negative to the last. This vote of course represents only a very small fraction of the farmers of the country, but if it may fairly be accepted as indicating the general opinion, there is an overwhelming majority in favor of reciprocity with the countries south of us and almost an equal majority opposed to reciprocal trade with Canada. In the eastern half of the United States, where the competition of Canadian farmers is most felt, the sentiment is especially strong against reciprocity with the Dominion, while in Indians are closely guarded at Fort | the northwest and western states opinions are about equally divided, though majority in both declared favor of southern

agricultural interests may reasonably be

expected to influence congress to defer action of any kind relating to such a policy while the strong sentiment in favor of closer trade intercourse with the countries to the south will give strength to the movement for its attain-

ment. It will be interesting to note in this connection that the agitation of reciprocity in the Dominion does not appear to be making rapid pro-The influence of the govgress. ernment is almost solid against it, and those who are hopeful that at the general elections of this year the friends of that policy will be successful are not getting much encouragement from popular expression on the subject. The Canadian farmers are pretty evenly divided, while the great majority of those engaged in manufacturing industries are favorable to existing conditions. Freer commercial intercourse with our northern neighbors may come in time, but it would seem that the time is yet remote.

#### DEATH OF SECRETARY WINDOM

In all circumstances death carries a shock, but the blow comes with peculiar and overwhelming severity when suddenly and unexpectedly it strikes down one in the full possession of all his faculties and in the full tide of his usefulness. Then it is that the uncertainty of life is forcefully impressed upon us, and all men are brought, if only for a moment, to reflect on the inevitable law of our being and the inscrutable ways of Provi-

The country will be profoundly shocked by the sudden death of Secretary Windom under circumstances that give the sad event exceptional pathos and impressiveness, and men of all beliefs and parties will sincerely regret the loss of a distinguished citizen who in most responsible positions had shown himself a statesman of uncommon ability. As a representative in congress, a senator, and twice secretary of the treasury, William Windom had done valuable service to the country. In congress he was recognized as one of the strong men of the nation in financial affairs, and with his long experience and clear judgment of the ability of public men President Garfield chose him, with the general approval of the country, for the head of the treasury department. He had brief opportunity then to demonstrate his ability in practical financial administration, but as secretary of the treasury in the present administration he has most fully justified the confidence of the two presidents who made him the chief of the financial department of the government. At a time when visionary schemes of finance are more prevalent than almost ever before, Secretary Windom has been careful and conservative in all his views and recommendations, and in the financial extremities which the country has twice experienced since the Harrison administration came in, he has to the extent of his authority protected the money market with notable wisdom. His last utterance, which can hardly fail to make a deep impression upon the intelligent judgment of the country, was a plea for a sound currency and a financial system that will furnish just enough of such a currency to meet the legitimate wants of trade. His closing words of counsel upon a subject he was most competent to discuss will not have been spoken in vain.

The nation will sincerely mours the death of a citizen who had won general confidence in his ability and whose place in public affairs will not easily be filled, while the many to whom he had personally endeared himself will feel his death as an irreparable loss. To his family the tenderest sympathy of all will be extended.

POSSIBLE SUCCESSORS TO WINDOM.

The president will probably be in no hurry to appoint a successor to the late Secretary Windom. There is nothing in the condition of the treasury, or in the general financial situation, that calls for haste in selecting a new head of the department, and there is still a month of the present congress during which the president can consider carefully the claims of the number of men who would be acceptable to the country as secretary of the treasury. There are many such men in the republican party, and the only difficulty the president is likely to experience will be in choosing one who for all reasons is most worthy to secupy this great office and most certain to command the confidence of the country.

Already there is announced a consid-

erable list of possible successors to the late secretary, and it is not improbable that some of these are strong in the confidence of the president. There is reason to believe that Congressman McKinley is one such and Senator Spooner another, and both of these distinguished republicans will retire from congress on March 4. The appointment of either as secretary of the treasury would undoubtedly be regarded with very general favor by the republican party, and the selection of Senator Spooner would be a proper recognition of the west that could not fail to strengthen the administration in this section. But there are other available men and the important question is not one of sectional preference, but that of placing at the head of the department a man of sound and safe financial views. whose ability and influence will be exerted to prevent any extreme and violent departures from the policy by which the financial credit of the government and the commercial welfare of the nation have been conserved for a quarter of a century. With but ore or two "exceptions since the republican party first came into control of the government the administration of the treasury department has been signalized by a very high order of ability. Under the administrations of Chase, Fessenden, McCulloch, Sherman and Windom, no other department of government brought greater credit to the party or more respect for the country from foreign relations. Its vast powers were exercised by these eminent financiers with the single purpose of upbuilding and maintaining the credit and prosperity of the nation. 'The high standard of

financial policy they established the

present administration is fully com-

mitted to, and is cannot be doubted that It will find the right man to maintain it.

THE rich soil of the county building possesses astonishing qualities, especially when properly cultivated. Not only do plumbing bills thrive and wax fat, but \$250 sprouts have been known to grow and flourish and by diligent cultivation reach the amazing proportions of \$700 in four anonths. Nearly three hundred per cent in a third of a year is certainly ample reward for toil and anx-

THE public appears to be much interested in John J. Ingalis' plans for the future. Now that he is defeated even his enemies speak kindly of his rare intellectual gifts. The general idea is that he should embark in literature. Why not take up the history of the United States where Bancroft left off, or write that long-delayed but well-advertised novel?

THE electors of Douglas county have been accused of all manner of crime against an honest ballot, but it may be said to their credit that they have never been guilty of packing a convention and galvanizing a proposition, once defeated, after a majority of the delegates departed for their homes.

THE last quarterly report of the register of deeds shows a surplus of public moneys in his hands of \$9,565.66. This includes \$4,000 for 1889. None of this money has been paid into the county treasury. What has become of it?

THE legislature has finally provided \$200,000 for the relief fund, but Messrs. McKeighan and Kem have not yet returned with the pot of gold that they are seeking at the bottom of the congressional rainbow.

FREE coinage will not see daylight in the present congress, after all. It is now generally conceded that the house will not concur with the senate. This prolongs the occupation of a good many orators.

PRESIDENT HARRISON has decided on several occasions that his cabinet should remain unbroken to the end of his term, but the angel of death is no respector of persons.

CHARLES BRADLAUGH has passed away at London, leaving a memory of a man of strong and brilliant parts who did not choose to use them for the best purposes.

It is gratifying to note that the re publican party still has power enough left to pass an apportionment bill. will fill a long-felt want.

#### Jay's Spleen. Chicago Inter-Ocean,

If there is anything Jay Gould likes better than making money it is getting even. He is engaged just now in squaring some differ ences with the good people of Omaha by keeping them from getting their much wanted union depot.

#### Brains at a Premium. Florida Times-Union.

Illinois is not "stuck" on the money kings either. The congress of the United States i going to be in the next year or two more nearly a representative body than it has been since the war. The "man with the wad" will

## Our Danger.

Omaha, which has justly been considered one of the most progressive cities of the United States, has, unfortunately for its reputation submitted to a dictum of Jav Gould's forbidding a new union railway station. If this sort of thing is to keep on, the Nebraska metropolis will shortly retrograde into the rank of St. Louis.

## THE ALLIANCE.

'The farmers' altiance of Missouri is circu lating petitions in every county asking that the Paddock pure food bill, now pending in congress, be passed.

The democratic Sioux Falis Argus-Leader declares that the South Dakota fusionists made a mistake in unseating the republican representatives from Lawrence county. Topeka Capital: Speaker Elder's message

to the Illinois farmers, "Hold the fort for we are coming," should have been supplemented by another line from the same famous hymn. The greater number of the leaders of the people's party movement in Kansas are infidels or free-thinkers, says the New York World. Some few of them are Unitarians, whose belief is much more liberal than that sanctioned by their church. "Sockless" Jerry Simpson is a pronounced unbeliever, and during his campaign for congress in the Seventh district the whole force of the church was arrayed against him. Mrs. Lose is an infidel, and Mrs. Diggs, who, next to Mrs. Lose, was the most powerful cam-

#### liberal Unitarian. PASSING JESTS.

paigner in the people's movement, is a very

Millicent (running her finger over his upper lip)—Willy, why are you like the late King Kalakaua Willy-1 don't know. Why? Millicent-Because you have no hair ap

parent. New York Herald: Gushley-Did you ever, like the poet, "stand on the bridge midnight!" Rounder-No, but I've often stood on a

St. Joseph News: There is so much being said about the south and the fair just now that the idea will soon gain ground that brunettes are dying out in the south.

ob-tail flush at about that time in the even-

New York Sun: Old Parkrich-Should let you have my daughter, do you think you are able too keep her, sir!
Young Man (doubtfully)—I'll do all I can, sir; but you know this is Chicago.

New York Herald: "Let's see; that ten-derfoot is in the soup, isn't he?" "Yes. He'd have been better off if he'd stayed in the years."

the interest of bremony that the Decatur, ill., young woman whose nose was patched up with the ribs of a cat may never meet the w York boy lately repaired from the leg

Indianapolis Journal: It is to be hoped in

To Clevelan 1. Democrat and Chronic's. Spare us your platitudes, Strike no vain attitudes, For, in these latitudes, Such stuff is olden; Solely we ask of thee Speak thy opinion free Which should the coinage by,

Silver or golden; Play not the coward's part, Is there a change of heart! Or did the rumor start From some base minton? Others have spoken out, List to the Southern shout, Free us at last from doubt What's your opinion!

### OTHER LANDS THAN OURS.

The question whether the tories will disolve partiament is an interesting one in current British politics, and gives rise to much conjecture as to what the probable result of a general election this year would be. The most intelligent conclusion is that while the unionists have a fairer opportunity of success just now than they will have two years hence, they must expect losses in the English counties and in the metropolis. Their chance of retaining their present majority over Gladstonians and Irish nationalists combined is small, and it would not be surprising if the appeal to the electors resulted, as it did in 1885, in giving Irish patriots the balance of power. Had the election, on the other hand, taken place three months ago, it is not improbable that the Gladstonians would have obtained, what they had in 1880, a majority over the joint forces of conservatives and Irishmen. It is for the students of Irish history to say which of the two situations would be most favorable

The general financial condition of Italy is growing more and more unsatisfactory. Foreign commerce was known to have suffered immensely through the stupid war of tariffs with France. Since that blunder was retrieved it was thought that things would begin to mend, but the returns show that they are going from bad to worse. Importations have fallen off, and though the present protectionist sentiment of the country would be inclined to see in this an dence of national prosperity it can hardly do so in face of the fact that exports have fullen off still more. An excellent index to the financial condition of the country is the deposits in savings banks, and these show an alarming decline. Altogether, the government is going to have a very difficult time of it when it comes to devise measures to meet the increasing expenses of the nation -Many of the government candidates were elected to the parliament under public pledges not to vote for an increase in taxation. At the same time, they are pledged not to cut down the military expenses. The only way out of the dilemma is the negotiation of a new national loan, and there is every indication that such a step is contemplated. Italy has already a great publie debt; the interest on it is nearly as great as that England has to pay on hers. A reckless use of the public credit might easily, taken in connection with the general commercial embarrassment of the country, lead to another disaster like that of the Argentine.

It is a striking fact that after the lapse of over two thousand years a Roman Catholic bishop of Carthege should resume the work of reclaiming part of the great Sahara desert, abandoned when Carthage fell beneath the power of Rome. Cardinal Lavigerie, whose general field is Algeria, but whose is also Bishop of Carthage," is well known for his zealous efforts to suppress the slave trade in northern Africa. This trade is largely carried on by caravans of Arab no mads, who are believed to have in their veins a strain of the blood of the wandering tribes which furnished Carthage, as early as 500 B. C., the cavalry of its then powerful and conquering armies. The cardinal, with practical wisdom, believes that the best way to put a stop to slave stealing and slave trading is to give a better occupation to those engaged in these. He proposes to establish in the Sahara a series of stations manned by monks trained in engineering and agriculture. These stations are to be on the sites of the ancient wells, which are to be reopened and others sunk. The surrounding desert is to be irrigated, reclaimed, and planted, and an effort is to be made to gather the slave-trading nomads in peaceful pastoral and agricultural communities. The cardinal's call for volunteers, to undergo training for five years, and then, if accepted, to devote themselves for life, has been ac cepted by nearly eighteen hundred monks, of whom fifty are to go into training immediately, and after fifteen months will be sent into the desert. Whatever may be the suc cess of this undertaking, no one can withhold admiration from its author or from those who pledge the service of their lives to carry

The continued movement westward of Russian troops, the untiring energy of the Russian general staff in the reform of all the inefficient branches of the service, and the incessant progress of the work of fortifying the western boundary, have so completely absorbed the attention of German military men that the "lost provinces" and the "war of revenge" receive hardly a passing thought To be sure the assurance was given recently in a semi-official way in St. Petersburg that ie westward movement of troops was under the direction of the department of transportation, which believed the railroads unequal to the demands of a mobilization, and wished therefore to learn where the trouble would be, as well as to anticipate the in efficiency by getting troops beyond the critical points in advance. In fact, however, most of the recent movements of Russian troops have taken place in districts where such tests were out of the question. The imminence of decisive action on the part of Russia against Germany is variously esti mated by German military authorities. An unexpected check has been put on the enthusiasm of the Russian war party by the recent revelation that the last maneuvers of Rowno were not so satisfactory as was at first reported. The provision of food, shelter and transportation for the troops was so defective that had not the men shown the wonderful patience and endurance characteristic of Russian soldiers, a disastrous failure of the great sham campaign would have been nevitable. The czar and his generals also expressed deep dissatisfaction with the discipline of the cavalry and the quality of the horses. The subsequent reports of the Russian officers who observed the Silesian maneuvers added to this dissatisfaction by dwelling at length on the perfection of the German arrangements for moving and feed ing the troops. "On the other hand," writes a German officer from St. Petersburg, "Russia is strengthening for the eventual struggle all her fortresses on our border, and is drawing steadily her troops to the westward. While now Russia has but 2,000,000 carefully drilled warriors, she will have at the end of five years at least twice that number. The ezar holds back from war because he fears everything that he cannot foresee. The question is: 'Will he or the Chauvinistic elements behind him triumph?"

## THE SCHOOL GIRLS.

Columbus Dispatch. Morning glories are not fairer Than the faces fair that shine 'Neath the hat-brims of the school-girls,

'Tis the young man's inspiration, As he sees them trooping come Past the trees that hear their laughter And are eloquently dumb.

Of those days that now are gone, Planting smiles within the wrinkles, Smiles that grow and linger on. Do you feel dejected, jaded, Try this remedy of mine; Look into the school-girls' faces,

To the old 'tis recollection

Just before the hour of nine You may talk of morning zephyrs And of summer evening cool, But my tonic is the faces Of the girls that go to school.

"Ah, but you have forgotten my grip," re-marked the majestic insect as he hurled his persecutor away into space.

# GENUINE FRAUD JAILED

He Has Been Doing a Thriving Business in Patching Up Domestic Troubles.

A THIRTY-DAY JAIL SENTENCE IMPOSED.

LINCOLN, Neb., Jan. 30 .- [Special to Tag

The Attorneys of Murderer Neat File Their Petition in Error-Diphtheria Under Control-Other News.

BEE. |-Shortly before 1 o'clock today a fraud masquerading under the name of Will iam Walters was arrested by Detective Pound and thereby is revealed an astonish ing tale of the bold charlatan and his cred ulous victims. Walters has no visible legitimate means of support, and has needed none, for he has been doing a land office business under the claim of being gifted with supernatural powers. He has been posing as a being who can bring together any two persons whom he choses, and naturally the forsaken maiden and the descried wife have listened hopefully to his misrepresentation and paid him liberally for a few profane in cantations and lecherous actions which he claimed would bring the loved one back How many victims he has duped is not positively known, but it is believed that there are a legion of them, as three or four have already complained of the fellow in the courts of justice. As the nature of the incantations and ceremonies are of such a character that a woman would shrink from re vealing them, it is probable that there are

The lady causing the arrest of the fellow is Mrs. Sarah M. Jones. It appears that her husband left her some time ago, and since then she has been compelled to do domestic service for a living. Of late her heart has vearned for her husband and she finally fell into the hands of Walters. This was on January 22. The fellow pretended that he could bring back the missing husband in two days. Mrs. Jones willingly paid the fellow every cent of money she had -\$23—and th incantations were gone through with Mrs Jones waited two days, but her husband failed to appear. A week passed and more and still he did not come. She then realized that she had been duped and entered a com-plaint for the fellow's arrest.

Another victim who has complained to Judge Brown of the fraud practiced on her is a young lady from Saward, who is employed here. It appears that after having taken mean advantage of the trusting girl her love fied. Although he proved such a detestable scoundrel the girl still loved him and has been ooking to the time when he would return and his promise of marriage. waited in vain, and when Walters crossed her path she proved an easy victim. As she willingly submitted to his lewd coremonies, it is alleged that the fellow afterwards in-suited her. Not until that time did the gir Not until that time did the gir realize his true character. She went to the judge, but the magistrate advised her, as she had lost only \$5, to avoid the notoriety that would result from an arrest and airing of the

Other victims are cited, one of them a lady of intelligence, but who is foolish enough to believe in fortune tellers and frauds of that

looking fellow as Walters it is hard to imagine. He is an insignificant appearing, under-sized man about 5 feet 2 inches high. He wears a coarse mustache and has the repulsive air and swagger of the barroom rowdy. His eyes are marked with cunning, and altogether h is a person whom an intelligent person would

He was taken before Justice Brown at 2 p. m. and admitted everything. He said that as his supernatural powers failed he had substituted himself for the woman's husband. The judge gave him the choice of paying the woman's money back and the costs accruing or be punished for adultery. atter course and was given thirty days in the county jan.

MURDERER NEAL'S CASE. Messrs. Gurley and Estelle, attorneys for the condemned E. D. Neal, have filed their orief in support of their petition in error. eal was convicted at the May term of the Douglas county district court in 1890 of mur-der in the first degree in the killing of Allen lones at the Pinney farm, near South Oma ha, in February, 1830. Sentence of death was passed upon him, but the filing of the petition in error pending the execution of the entence operated as a stay thereof until the supreme court shall have passed upon the as-

signment of errors. The first assignment of error upon which Neal's attorneys place any stress relates to the method in which the jury was drawn The testimony of the district clerk show that the jury for the May term was selected by the officers named in sections 658, 659, 660, 681 and 665 of the code of civil procedure found as in the compiled statutes of 1887, and in attempted compliance with said section, when said sections werein fact repealed and not in force at the time said jury was drawn. The same witness shows that the jury was not properly drawn, even under the old law, as it was drawn from a list of sixty names selected aroportionately from eac precinct in the county. At the trial Neal's attorneys, when a jury of twelve men was called into the box, before any further proceedings were had, moved to quash the regular panel for the term for the reaas above stated, but the motion overruled. The attorneys maintain that the new law governing the drawing of inries in counties of over 70,000 inhabitants should have been observed in this case, as it went nto effect March 3, 1889, and proof was sufnitted to show that the county had over 0,000 people

The main reliance of Neal's counsel, howver, is in the assignment of error relating to he failure to take the prisoner along when e jury visited the Pinney farm to view the cene of the murder. The record shows that directly after the

jury had been sworn a motion was made by the county attorney for an order of court directing that the jury, accompanied by the proper officers, be taken to view the prem-ises. This motion was made on May 15, and it was on the same day and at the same time that it is claimed that the prisoner by his souncil, in open court, waived his right to ccompany the jury.
The journal entry showing an absolute waiver by the prisoner was not prepared by the court until May 20 or later, nor until the court overruled the motio of council for the prisoner asking for an entry upon the journal of the proceedings of May 15, showing that the prisoner was re-manded to jail at the time the jury was placed in the custody of the sheriff for the ourpose of viewing the premises, said journal entry as prepared by counsel showing no waiver by the prisoner and being drawn in conformity with the report of the proceedings had at that time, taken by the official stenog

The afridavits referred to were some made and submitted by Nesl's counsel denying that they had ever formally waived the prisoner's right to be present when the premises were viewed, and they relied upon the re port of the official stenographer for corroboration. This stenographic report did not show that any waiver had been made, but counsel for the state submitted affidavits of

affidavits of counsel, but after hearing the affidavits read the court overruled the motion because it desired a full record and this

was shown in the affidavits and report of the

This motion was supported b

T. J. Mahoney, John C. Shea and C. J. Smythe, the two first named being of counsel for the state, to the effect that Mr. Gurley distinctly said, when asked by Mr. Mahoney in the court room if he wished the prisoner to accompany the jury, that "we will waive that right." Three of the jurors also made

affidavits to the same effect amiliavits to the same effect.

The brief also raises a point that "the right of the prisoner to be present at the time the jury viewed the premises was a right which he could not waive," and a long ist of citations is given in support of the proposition. One is first Nebraska, page 391, Burley vs the State, it is held that "in a capital felony it is not in the power of the prisoner, either by himself or his counse, to oner, either by himself or his counsel, to walve the right to be present at the rendition of the verdict or during the trial." The record must show that the prisoner was present at every stage of the trial, from

the commencement until the sentence is pro-A number of citations are made to show that "a view by the jury of the premises is evidence," and a formidable list of decisions are cited to show that the prisoner must be resent during the entire trial; that in carital cases the accased stands upon all his and waives nothing, and that in high felonies the prisoner's counsel cannot waive any of

his rights, as even their own consent could

not dispense with the established forms and usages of the criminal laws. Another assignment of error points out the fact that certain testimony of Coroner Harrigan was admitted relating to the finding of the body of Dorothy Jones. As the prisoner was on trial for the murder of Allen Jones, it. is contended that this was incompetent, im-material and irrelevant, as the whereabouts of the two parties respectively between the 3d and 14th of February were not proven, and the same person may not have killed them both and they may have been killed ou allowed days.

THE DISEASE UNDER CONTROL The epidemic of diphtheria at the home for the friendless, which looked very alarming at one time, has been checked by and vigorous action of Health Officer ram, acting under instructions from Mayor Graham. There are now five cases of diph-theria in the hospital, only one of which is serious. Nine others who showed pronounced symptoms of the disease are all right now. The home has been thoroughly fumigated, disinfectants placed everywhere and sulphur candles burned for hours at hours at a time. There are ninety-four little in mates but only one fatality resulted. ODDS AND ENDS.

Walter Judah, the fellow charged with Walter Judah, the fellow charged with pawning a gold ring which was loaned to him by a young lady named Miss Bell McDonald, was arraigned in Justice Brown's court shortly before 4 p. m. today. He had gotten the ring out of pawn, but when the judge required him to pay the costs of the suit he declared that he would board it out to jail. The judge threatened to give him a long sentence and at the request of the lady be was released after paying the costs.

case against O. C. Knapp, who was charged with grand larceny, came to an untimely end this morning in police court. Knapp is the young railroad laborer who is charged by his room mate, Carl Free, of robbing him of \$75 while asleep. Free was very vindictive until he learned that if Knapp was bound over the \$75 would be tied up in the hands of the court until the case was finished in district court. As this would be a greater hardship on him than it would be punishment for the prisoner, he withdrew the testimony already offered and the case was dismissed for want of prosecution.

Eddie McGee and Oswald Sparschuk, the

youngsters charged with the theft of some grates from a planing mill, were also dis-charged for want of prosecution. David Vance was equally lucky, as the man who charged him with stealing an overcoat did not show up.
Thomas Ryan was given a hearing this

morning on the charge of robbing a poor dumb man who earns his living by acting as a displayer of goods in front of Herman's clothing store. He was found guilty and sen-tenced to pay a fine of \$45 and costs, the nonpossession of which caused his incarceration in the county jail, Johnny Cox, who destroyed a half dozen

blankets while a prisoner in the city jail, paid the damages this morning and was released. The case against Engineer Ford for running his train too fast was continued until next Tuesday, John Sebring alias Smith, who was ar-

John Sebring alias Smith, who was arrested several nights ago on suspicion of being a deserter from the United States army, was released this morning after the judge listened to a statement of the case. The authorities at Fort Omaha and Fort Riley had been notified of the man's arrest, but nothing having been heard from them the judge thought the man should be released.

Fred Spinn, the tough little fellow who has seen in a neck of trouble for several months. was taken up before Judge Stewart yester-day afternoon, and after a hearing ordered sent to the reform school. Young Shinn's mother is dead, but the father was as usual on hand pleading to allow the court to let him keep Fred, and claiming that he was able to keep him out of mischief, but the plea has been made too often and this time was with-

#### The Traffic Association. The traffic managers of one of the western

roads ridiculed the report from Chicago to the effect that several roads were chafing under the agreement of the Western Traffic association. He expressed the opinion that this statement had originated with those roads which had refused to go into the association, and which would, therefore, be glad to see the agreement fail through. The report was no doubt strengthened, he said, by the collapse of the anti-pass agreement, but such a report had no foundation, as the traffic association had not been in existence long enough to have had a trial, so that no one could say whether it would be a success or a

All the roads in the western association the gentleman remarked, were disposed to give the new arrangement a fair trial, and this would take some time. The roads were represented in the association by those who were in actual control of the several roads, and would make no difference whether the other officials of those roads were dissatisfied with the arrangement, it would be for those in control to say whether the agreement should be lived up to or abrogated. The agreement which had been entered into was binding on all alike, and its existence de-pended on the honesty and fair dealing of those composing the association.

The Belt Line Service.

The attention of General Manager Clark was called to the fact that a petition was be ing circulated asking that the old service on the Belt line be restored.

"Will the people out there patronize the line if the service is restored?" he asked. "We are willing to run the trains if the patronage will warrant it, and are willing to run them even at a loss, but since the motor lines have been extended the traffic on the Belt

line has greatly decreased.

"The Belt line has never paid, but it was run more to accommedate the people in the suburbs than anything else, but when the traffic decreased it was taken as an indication that the service was not desired and it was "We are willing to run the trains but can

not do so unless the people patronize them.' Paper Company Suspends. SPRINGFIELD, Mass., Jan. 30 .- The Winord paper company of Holyoke has suspended

Liabilities, \$500,000. The company claims the assets will cover the liabilities. Dry Goods Failure at Butte. BUTTE, Mont., Jan. 30.-James R. Boyce & Co., dry goods, were forced to assign last night. Assets, \$125,000; liabilities, \$100,000.

Highest of all in Leavening Power .- U. S. Gov't Report, Aug. 17, 1889.

